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locations designated by the superintendent pursuant to the terms and conditions of a permit.

[49 FR 18451, Apr. 30, 1984]

§ 7.89 New River Gorge National River.

(a) *Hunting*—(1) *May I hunt within New River Gorge National River?* Yes, you may hunt if you:

(i) Possess a valid West Virginia State hunting license or permit, or are exempt under provisions of West Virginia law.

(ii) Comply with the hunting seasons, harvest limits, and any other conditions established by the State of West Virginia.

(iii) Do not violate any closures or limitations established by the Superintendent for reasons of public safety, resource protection, or other management considerations.

(2) *Do West Virginia state hunting laws apply within New River Gorge National River?* Yes, non-conflicting State hunting laws are adopted as part of the regulations in this section and apply within New River Gorge National River.

(b) [Reserved]

[68 FR 55317, Sept. 25, 2003]

§ 7.90 [Reserved]

§ 7.91 Whiskeytown National Recreation Area. Unit, Whiskeytown-Shasta-Trinity National Recreation Area.

(a) *Water sanitation.* (1) Vessels with marine toilets so constructed as to permit wastes to be discharged directly into the water shall have such facilities sealed to prevent discharge.

(2) Chemical or other type marine toilets with approved holding tanks or storage containers will be permitted, but will be discharged or emptied only at designated sanitary pumping stations.

(b) Overnight occupancy of a vessel on the Whiskeytown Lake is prohibited.

(c) *Powerless flight.* The use of devices designed to carry persons through the air in powerless flight is allowed at times and locations designated by the superintendent, pursuant to the terms and conditions of a permit.

(d) *Gold Panning.* (1) As used in this section, the term "gold panning" means the attempted or actual removal

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of gold from a stream by using either a metal or plastic gold pan and a trowel, spoon or other digging implement having a blade surface not exceeding 4 inches wide and 8 inches long.

(2)(i) Unless otherwise designated by the superintendent, gold panning is allowed on all streams. Streams, or portions thereof, that are designated closed to gold panning are marked on a map available for public inspection at the office of the superintendent, or by the posting of signs, or both.

(ii) Prior to engaging in gold panning, a person shall register with, and pay a special recreation permit fee to, the superintendent. The superintendent shall establish the special recreation permit fee in accordance with regulations in part 71 of this chapter.

(iii) A person may remove gold from the Unit only in accordance with these regulations.

(3) The following are prohibited:

(i) Removing gold by any method other than gold panning, including, but not limited to, the use of suction, a crevice cleaner, screen separator, view box, sluice box, rocker, dredge or any other mechanical or hydraulic device, or skin diving equipment such as a snorkel, mask or wetsuit.

(ii) Using any toxic substance or chemical, including mercury, in gold panning activities.

(iii) Conducting gold panning outside the confines of existing stream water levels, or digging into a stream bank, or digging that results in the disturbance of the ground surface or the undermining of any vegetation, historic feature or bridge abutment.

[36 FR 14267, Aug. 3, 1971, as amended at 38 FR 5245, Feb. 27, 1973; 49 FR 18452, Apr. 30, 1984; 54 FR 23649, June 2, 1989]

§ 7.92 Bighorn Canyon National Recreation Area.

(a) *Aircraft-designated airstrip.* (1) Fort Smith landing strip, located at approximate latitude 45°19' N., approximate longitude 107°55'41" W. in the S½S½SE¼ sec. 8, and the S½SW¼SW¼ sec. 9, T. 6 S., R. 31 E., Montana Principal Meridian.

(2) [Reserved]

(b) *Snowmobiles.* (1) Designated routes to be open to snowmobile use: On the

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west side of Bighorn Lake, beginning immediately east of the Wyoming Game and Fish Department Residence on the Pond 5 road northeast to the Kane Cemetery. North along the main traveled road past Mormon Point, Jim Creek, along the Big Fork Canal, crossing said canal and terminating on the south shore of Horseshoe Bend, and the marked lakeshore access roads leading off this main route to Mormon Point, north and south mouth of Jim Creek, South Narrows, and the lakeshore road between Mormon Point and the south mouth of Jim Creek. On the east side of Bighorn Lake beginning at the junction of U.S. Highway 14A and the John Blue road, northerly on the John Blue road to the first road to the left, on said road in a westerly direction to its terminus at the shoreline of Bighorn Lake. All frozen lake surfaces are closed to snowmobiling.

(2) On roads designated for snowmobile use only that portion of the road or parking area intended for other motor vehicle use may be used by snowmobiles. Such roadway is available for snowmobile use only when the designated road or parking area is closed by snow depth to all other motor vehicles used by the public. These routes will be marked by signs, snow poles or other appropriate means. The superintendent shall determine the opening and closing dates for use of designated snowmobile routes each year. Routes will be open to snowmobile travel when they are considered to be safe for travel but not necessarily free of safety hazards. Snowmobiles may travel in these areas with the permission of the superintendent, but at their own risk.

(3) Snowmobile use outside designated routes is prohibited.

(c) *Fishing*. Unless otherwise designated, fishing in any manner authorized under applicable State law is allowed.

(d) *Personal Watercraft (PWC)*. (1) PWC use is allowed in Bighorn Canyon National Recreation Area, except in the following areas:

(i) In the gated area south of Yellowtail Dam's west side to spillway entrance works and Bighorn River from Yellowtail Dam to cable 3,500 feet north.

(ii) At Afterbay Dam from fenced areas on west side of dam up to the dam.

(iii) In Afterbay Lake, the area between dam intake works and buoy/cable line 100 feet west.

(iv) At Government docks as posted.

(v) At the Ok-A-Beh gas dock, except for customers.

(vi) From Yellowtail Dam upstream to the log boom.

(vii) In Bighorn Lake and shoreline south of the area known as the South Narrows (legal description R94W, T57N at the SE corner of Section 6, the SW corner of Section 5, the NE corner of Section 7, and the NW corner of Section 8). Personal watercraft users are required to stay north of the boundary delineated by park installed buoys.

(2) The Superintendent may temporarily limit, restrict, or terminate access to the areas designated for PWC use after taking into consideration public health and safety, natural and cultural resource protection, and other management activities and objectives.

[36 FR 21666, Nov. 12, 1971, as amended at 48 FR 29845, June 30, 1983; 52 FR 34777, Sept. 15, 1987; 70 FR 31353, June 1, 2005]

§ 7.93 Guadalupe Mountains National Park.

(a) *Cave entry*. No person shall enter any cave or passageway of any cave without a permit.

[48 FR 30296, June 30, 1983]

§§ 7.94–7.95 [Reserved]

§ 7.96 National Capital Region.

(a) *Applicability of regulations*. This section applies to all park areas administered by National Capital Region in the District of Columbia and in Arlington, Fairfax, Loudoun, Prince William, and Stafford Counties and the City of Alexandria in Virginia and Prince Georges, Charles, Anne Arundel, and Montgomery Counties in Maryland and to other federal reservations in the environs of the District of Columbia, policed with the approval or concurrence of the head of the agency having jurisdiction or control over such reservations, pursuant to the provisions of the act of March 17, 1948 (62 Stat. 81).